

UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA

MERAV OR,  
Plaintiff,

v.

COSTCO WHOLESALE CORP., et  
al.,  
Defendants.

CV 23-87 DSF (KSx)

Order REMANDING Case to  
State Court

Defendant Costco Wholesale Corporation removed this action from state court on the basis of diversity. Costco made no effort whatsoever to plead the citizenship of the individual defendant, Joel Ramirez. Costco appears to believe that because Ramirez has not been served it does not have to plead his citizenship and it does not matter if he is a citizen of California like Plaintiff. This is, of course, incorrect because this Court must have subject matter jurisdiction over the case regardless of whether Ramirez has been served. The section cited by Costco, 28 U.S.C. § 1441(b)(2), does not remove the requirement of complete diversity.

The case is REMANDED to the Superior Court of California, County of Los Angeles.

IT IS SO ORDERED.

Date: January 10, 2023



Dale S. Fischer  
United States District Judge